



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1( b)**

Denise Carlon

KML LAW GROUP, P.C.

216 Haddon Avenue, Ste. 406

Westmont, NJ 08108

Manufacturers and Traders Trust Company, a/k/a

M&T Bank, successor by merger with Hudson City  
Savings Bank

In Re:

Bennhy Jean  
Stephania Choute

DEBTOR,  
CO-DEBTOR.

Order Filed on September 11, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 18-21041 VFP

Chapter: 13

Hearing Date: 9/5/2019

Judge: Vincent F. Papalia

**ORDER VACATING STAY  
AND CO-DEBTOR STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

**DATED: September 11, 2019**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".  
\_\_\_\_\_  
**Honorable Vincent F. Papalia**  
United States Bankruptcy Judge

Upon the motion of Manufacturers and Traders Trust Company, a/k/a M&T Bank, successor by

merger with Hudson City Savings Bank, under Bankruptcy Code Sections 362(a) and 1301 (c) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

- Real Property More Fully Described as:

**Land and premises commonly known as, 250 40th Street, Irvington NJ 07111**

- Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the Co-Debtor Stay is vacated.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

In re:  
Bennhy Jean  
Debtor

Case No. 18-21041-VFP  
Chapter 13

## **CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 13, 2019.

db #+Bennhy Jean, 250 40th Street, Irvington, NJ 07111-1149

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 13, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 11, 2019 at the address(es) listed below:

ember 11, 2019 at the addressee(s) listed below.

Bruce H Levitt on behalf of Debtor Bennhy Jean [blevitt@levittslafkes.com](mailto:blevitt@levittslafkes.com),  
[sslafkes@levittslafkes.com](mailto:sslafkes@levittslafkes.com); [lspcattorneys@gmail.com](mailto:lspcattorneys@gmail.com); [hbr69524@notify.bestcase.com](mailto:hbr69524@notify.bestcase.com); [lsbankruptcynotics@gmail.com](mailto:lsbankruptcynotics@gmail.com)

Denise E. Carlon on behalf of Creditor Manufacturers and Traders Trust Company, a/k/a M&T Bank, successor by merger with Hudson City Savings Bank [dcarlon@kmlawgroup.com](mailto:dcarlon@kmlawgroup.com), [bkgroup@kmlawgroup.com](mailto:bkgroup@kmlawgroup.com)

Kevin Gordon McDonald on behalf of Creditor Manufacturers and Traders Trust Company, a/k/a M&T Bank, successor by merger with Hudson City Savings Bank [kmcdonald@kmlawgroup.com](mailto:kmcdonald@kmlawgroup.com), [bkgroup@kmlawgroup.com](mailto:bkgroup@kmlawgroup.com)

Marie-Ann Greenberg [magecf@magrtrustee.com](mailto:magecf@magrtrustee.com)  
U.S. Trustee [USTPRegion03.NE.ECF@usdoj.gov](mailto:USTPRegion03.NE.ECF@usdoj.gov)

TOTAL: 5